



# FACT SHEET

## FAQ's for the OIG Provider Informational Webinar-10/20/2020

**Q. What is the fingerprinting grace period for new hires in *temporary* positions?**

A. The grace period will remain in effect. New hires in temporary positions will be registered and screened in GCHEXS, but the fingerprinting requirement is currently suspended through the public health emergency period, even if a nearby site is open.

**Q. What is the grace period for new hires in *permanent* positions employed after 10/1/2019?**

A. For new hires in permanent positions, elimination of the grace period became effective on October 1, 2020. For any situations where an individual cannot submit fingerprints due to site closure within a reasonable distance, the Healthcare Facility Regulation Division will accept documentation of those circumstances as part of the survey process so that the facility will not be cited for non-compliance.

**Q. Do temporary employees from temporary “temp” employment agencies have to be fingerprinted?**

A. No, temporary employees are not required to be fingerprinted at this time, regardless of whether they are employed through a “temp” agency or otherwise.

**Q. We are a private duty agency, are our employees considered temporary employees?**

A. If you hire employees on a full-time basis, they are not considered temporary employees. A temporary employee is one that is contracted through a “temp” agency during the pandemic.

**Q. If a Private Home Care Provider is hiring temporary employees, is the grace period to have background checks completed still in effect?**

A. Yes, as long as the provider is not using the temporary employees as permanent staff during the pandemic.

**Q. Are things back to normal for fingerprinting?**

A. Yes, for new hires in permanent positions, elimination of the grace period became effective on October 1, 2020. If you hired someone after 10/1/2019, you must now send the employee to be fingerprinted.

**Q. Are the fingerprint locations open yet?**

A. Yes, 70 percent of the fingerprint site locations are now open. There may be locations offering limited hours due to the COVID-19 pandemic. Your patience and



# FACT SHEET

understanding are appreciated during this unprecedented time. Please continue to check the location's availability listing for updates [by clicking here](#) before choosing to travel to a fingerprinting location.

To find a fingerprint location:

1. [Click Here](#) or paste <https://www.aps.gemalto.com/ga/index.htm> into your browser; then
2. Select "Fingerprint Locations".

**Q. Has the Rap Back program been implemented yet?**

A. No, the Rap Back program is still being developed.

**Q. Is a pre-approval required before fingerprinting? I had an employee turned away at the fingerprint site; the technician said we needed an agency pre-approval.**

A. DCH Long-term care providers and applicants are exempt from this pre-approval process. If a fingerprint site scans the barcode, they get an error message stating the applicant needs an approval. The fingerprint site will need to type in the registration ID number and pull up the registration. If the provider encounters a fingerprint location with this issue, please send the fingerprint location's name and address to DCH Background Investigations Unit, and we will contact the fingerprint location.

**Q. Is the provider required to pay the applicant's fingerprint registration fee? If we want the employee to pay the fingerprinting fee, how can they pay?**

A. No, it's the provider's decision to determine who will pay for the fingerprinting and they are free to make those arrangements at their discretion.

**Q. How long does the appeal process take, and will the employer be notified?**

A. The appeal process can take 30-60 days, and the employee will receive a final decision document they can provide to the employer.

**Q. What does the provider do if there is no fingerprint site within one hour of their office?**

A. For any situation where an individual cannot obtain a check due to fingerprint site closures within a reasonable distance, the Healthcare Facility Regulation Division will accept documentation of those circumstances as part of the survey process so that the facility will not be cited for noncompliance.

**Q. What is the deadline for completing the fingerprinting for existing owners, administrators, and staff?**



# FACT SHEET

A. There was a one-year delay of the January 1, 2021 deadline for existing owners, administrators, and staff to obtain a fingerprint background check. These checks will now be required **on or after January 1, 2022**. Please note that “existing” refers to anyone who was employed before the law’s effective date (October 1, 2019).

**Q. Are background checks required for PRN Home Providers?**

A. Yes, if the Home Health Provider employs them.

**Q. We had an applicant determined as unsatisfactory but has since attended the Georgia Office of State Administrative Hearings (OSAH), and the unsatisfactory decision was reversed. How do we receive a satisfactory decision for the applicant in the GCHEXS system?**

A. Once OSAH’s final decision is issued, the applicant will receive a copy of the court’s decision. The facility can accept a copy of the applicant’s final decision from the court and allow the applicant to work. We do not issue a new determination letter unless the applicant has been registered in the GCHEXS system and re-fingerprinted.

**Q. My employee recently received an Unsatisfactory Determination. Can the employee continue to work?**

A. Once the employee/applicant’s background check is determined as unsatisfactory, the employee will receive a letter from the DCH Office of Inspector General (OIG). The employee has ten days to appeal the unsatisfactory determination. During administrative appeals. Unless prohibited under federal regulations, the facility may retain a current director, administrator, onsite manager, or employee who has an unsatisfactory determination during the period of his or her administrative appeal.

**Q. How do I know if the employee has requested an appeal? Whom do I call?**

A. OSAH will schedule the hearing and send the applicant or employee a notice of the hearing date in writing. General inquiries should be directed to DCH OIG at [Recordcheck.hearing@dch.ga.gov](mailto:Recordcheck.hearing@dch.ga.gov) or by telephone at 404-463-7481.